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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 ***

16 SHAMIKA LOCKLIN,

17 Plaintiff,

18 vs.

19 MANDALAY BAY, LLC, a domestic
20 limited liability company, d/b/a
21 MANDALAY BAY RESORT AND
22 CASINO; DOES I-X; and ROE,

23 Defendants.

24 Case No.: 2:21-cv-0230-JAD-BNW

25 **STIPULATION AND ORDER TO STAY
DISCOVERY PENDING OUTCOME OF
SETTLEMENT NEGOTIATIONS**

26 **(SECOND REQUEST)**

27 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, the parties by and through their undersigned
28 counsel, hereby stipulate and agree, and respectfully request that the Court stay all discovery in this
action, pending the outcome of settlement negotiations. This is the parties' second request to stay
discovery and is being made in good faith and not for the purposes of delay.

29 **I. RELEVANT BACKGROUND**

30 1. This case was filed in the Eighth Judicial District Court on November 10, 2020.
31 Defendant was served on January 22, 2021. Plaintiff brought claims of Discrimination under the
32

1 Americans With Disabilities Act, and Interference in Violation of the Americans With Disabilities Act,
 2 and Discrimination Based on Disability in Violation of Nevada State Law. Attachment A to ECF No.
 3

4 1.

5 2. Defendant removed this case to this Court on February 11, 2021. ECF No. 1.

6 3. Both parties served Initial Disclosures in March 2021 and both parties have since
 7 supplemented those disclosures.

8 4. Plaintiff filed a First Amended Complaint on March 27, 2021.

9 5. Defendant filed a Motion to Dismiss on April 9, 2021. ECF No. 26. The Motion was
 10 fully briefed and submitted to the Court on May 13, 2021. ECF Nos. 31¹, 32.

11 6. The parties attended an Early Neutral Evaluation with Magistrate Judge Ferenbach on
 12 April 21, 2021 but were unable to resolve the matter. ECF No. 28.

13 7. Plaintiff served her First Sets of Interrogatories and Requests for Production of
 14 Documents on May 26, 2021, which Defendant answered. Defendant served its First Sets of
 15 Interrogatories and Requests for Production of Documents on July 8, 2021, which Plaintiff Answered.

16 8. District Court Judge Dorsey heard oral argument on Defendant's Motion to Dismiss on
 17 July 29, 2021 and denied the same. ECF No. 34.

18 9. Defendant filed its Answer to the First Amended Complaint on August 5, 2021. ECF
 19 No. 36.

20 10. On August 4, 2021, the parties filed a stipulation to extend the discovery period to
 21 December 21, 2021, which the Court granted on August 6, 2021. ECF No. 37.

22 11. Plaintiff currently has a workers' compensation matter with Defendant. On August 20,
 23 2021 and September 20, 2021, the parties in this litigation discussed the possibility of resolving both

27 1 Plaintiff withdrew her claims of Interference in Violation of the Americans With Disabilities Act and under Nevada
 state law.

the open workers' compensation matter and this litigation on a global basis. The undersigned counsel believes this is a possibility. The undersigned counsel reached out to the respective attorneys representing Defendant and Plaintiff in the workers' compensation matter to further discuss. Each workers' compensation attorney believes a global resolution is also possible.

12. On September 22, 2021, the parties in this litigation requested a stay so a global resolution could be discussed and further requested that at the end of the 60-day that the parties be allowed to 1) file a revised discovery plan; 2) file a status report with the Court on the progress of settlement negotiations; or, 3) file a Stipulation of Dismissal With Prejudice if the matter has been resolved and the terms of any agreement fulfilled. ECF No. 38. The Court granted the parties request on September 23, 2021. ECF No. 39.

13. The workers' compensation attorneys have had discussions, exchanged documents, and the parties in both matters now have the necessary information to fully discuss a global resolution. A proposed global resolution was made to Defendant on November 22, 2021.

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1 **II. REASON FOR REQUESTED RELIEF**

2 To conserve resources of the parties and this Court, the parties in this litigation respectfully
 3 request that discovery be stayed for a period of 60-days until Friday, January 21, 2022. It is further
 4 requested that at the conclusion of the 60-day stay that the parties will either: 1) file a revised
 5 discovery plan; 2) file a status report with the Court on the progress of settlement negotiations; or, 3)
 6 file a Stipulation of Dismissal With Prejudice if the matter has been resolved and the terms of any
 7 agreement fulfilled.

9 DATED this 22nd day of November 2021. DATED this 22nd day of November 2021.

10 KEMP & KEMP

11 MGM RESORTS INTERNATIONAL

12 /s/ Victoria L. Neal

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14 Attorney for Plaintiff
 Shamika Locklin

15 /s/ Kelly Kichline

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17 Attorney for Defendant
 Mandalay Bay, LLC

18 **Order**

19 IT IS ORDERED that ECF No. 40 is
 20 GRANTED. IT IS FURTHER ORDERED that
 21 by January 21, 2022, the parties must file a
 22 revised discovery plan and scheduling order,
 23 a status report regarding the status of their
 24 settlement negotiations, or a stipulation to
 25 dismiss.

26 IT IS SO ORDERED

27 DATED: 1:20 pm, November 23, 2021

28 

BRENDA WEKSLER
 UNITED STATES MAGISTRATE JUDGE